

1 ..title

2 AN ORDINANCE establishing application requirements
3 for land use permits, revising hearing examiner findings for
4 reclassifications of property and shoreline redesignations;
5 and amending Ordinance 12196, Section 11, as amended,
6 and K.C.C. 20.20.040 and Ordinance 4461, Section 10, as
7 amended, and K.C.C. 20.24.190.

8 ..body

9 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

10 SECTION 1. Ordinance 12196, Section 11, as amended, and K.C.C. 20.20.040
11 are each hereby amended to read as follows:

12 **Application requirements.**

13 A. The department shall not commence review of any application set forth in this
14 chapter until the applicant has submitted the materials and fees specified for complete
15 applications. Applications for land use permits requiring Type 1, 2, 3 or 4 decisions shall
16 be considered complete as of the date of submittal upon determination by the department
17 that the materials submitted meet the requirements of this section. Except as provided in
18 K.C.C. 20.20.040_B, all land use permit applications described in K.C.C. 20.20.020
19 Exhibit A shall include the following:

20 1. An application form provided by the department and completed by the
21 applicant that allows the applicant to file a single application form for all land use permits
22 requested by the applicant for the development proposal at the time the application is
23 filed;

2. Designation of who the applicant is, except that this designation shall not be required as part of a complete application for purposes of this section when a public agency or public or private utility is applying for a permit for property on which the agency or utility does not own an easement or right-of-way and the following three requirements are met:

a. the name of the agency or private or public utility is shown on the application as the applicant;

b. the agency or private or public utility includes in the complete application an affidavit declaring that notice of the pending application has been given to all owners of property to which the application applies, on a form provided by the department; and

c. the form designating who the applicant is submitted to the department before permit approval;

3.a. A certificate of sewer availability or site design approval for an on-site sewage system by the Seattle-King County department of public health, as required by the King County board of health code title 13: or

b. for public schools and public schools facilities located in rural areas, a finding by King County that no cost-effective alternative technologies are feasible, a certificate of sewer availability((;)) and a letter from the sewer utility indicating compliance with the tightline sewer provisions in the zoning code, as required by K.C.C. chapter 13.24;

4. A current certificate of water availability(~~(, if required by)~~) consistent with K.C.C. chapter 13.24 or documentation of an approved well by the Seattle-King County department of public health;

- 47 5. A fire district receipt pursuant to K.C.C. Title 17, if required by K.C.C.
48 chapter 21A.40;
- 49 6. A site plan, prepared in a form prescribed by the director;
- 50 7. Proof that the lot or lots to be developed are recognized as a lot under this
51 title;
- 52 8. A sensitive areas affidavit, if required by K.C.C. chapter 21A.24;
- 53 9. A completed environmental checklist, if required by K.C.C. chapter 20.44;
- 54 10. Payment of any development permit review fees, excluding impact fees
55 collectible pursuant to K.C.C. Title 27;
- 56 11. A list of any permits or decisions applicable to the development proposal
57 that have been obtained before filing the application or that are pending before the county
58 or any other governmental entity;
- 59 12. Certificate of transportation concurrency from the department of
60 transportation if required by K.C.C. chapter 14.70. The certificate of transportation
61 concurrency may be for less than the total number of lots proposed by a preliminary plat
62 application only if:
- 63 a. at least seventy-five percent of the lots proposed have a certificate of
64 transportation concurrency at the time of application for the preliminary plat;
- 65 b. a certificate of transportation concurrency is provided for any remaining lots
66 proposed for the preliminary plat application before the expiration of the preliminary plat
67 and final recording of the additional lots; and
- 68 c. the applicant signs a statement that the applicant resumes the risk that the
69 remaining lots proposed might not be granted.

13. Certificate of future connection from the appropriate purveyor for lots located within the urban growth area that are proposed to be served by on-site or community sewage system and group B water systems or private well, if required by K.C.C. 13.24.136 through 13.24.140;

14. A determination if drainage review applies to the project pursuant to K.C.C. chapter 9.04((5)) and, if applicable, all drainage plans and documentation required by the Surface Water Design Manual adopted pursuant to K.C.C. chapter 9.04;

15. Current assessor's maps and a list of tax parcels to which public notice must be given as provided in this chapter, for land use permits requiring a Type 2, 3 or 4 decision;

16. Legal description of the site;

17. Variances obtained or required under K.C.C. Title 21A to the extent known at the date of application; and

18. For site development permits only, a phasing plan and a time schedule, if the site is intended to be developed in phases or if all building permits will not be submitted within three years.

B. A permit application is complete for purposes of this section when it meets the procedural submission requirements of the department and is sufficient for continued processing even though additional information may be required or project modifications may be undertaken subsequently. The determination of completeness shall not preclude the department from requesting additional information or studies either at the time of notice of completeness or subsequently if new or additional information is required or substantial changes in the proposed action occur, as determined by the department.

C. Additional complete application requirements for the following land use permits are set forth in the following sections of the King County Code:

1. Clearing and grading permits, K.C.C. 16.82.060.
2. Construction permits, K.C.C. 16.04.052.
3. Mobile home permits, K.C.C. 16.04.093.
4. Subdivision applications, short subdivision applications and binding site plan applications, K.C.C. 19A.08.150.

D. The director may specify the requirements of the site plan required to be submitted for various permits and may waive any of the specific submittal requirements listed herein that are determined to be unnecessary for review of an application.

E. The applicant shall attest by written oath to the accuracy of all information submitted for an application.

F. Applications shall be accompanied by the payment of the applicable filing fees, if any, as established by K.C.C. Title 27.

SECTION 2. Ordinance 4461, Section 10, as amended, and K.C.C. 20.24.190 are each hereby amended to read as follows:

Additional examiner findings – reclassifications and shoreline redesignations.

When the examiner issues a recommendation regarding an application for a reclassification of property or for a shoreline environment redesignation, the recommendation shall include additional findings that support the conclusion that at least one of the following circumstances applies:

A. The property is potentially zoned for the reclassification being requested and conditions have been met that indicate the reclassification is appropriate;

116 B. An adopted subarea plan or area zoning specifies that the property shall be
117 subsequently considered through an individual reclassification application;

118 C. Where a subarea plan has been adopted but subsequent area zoning has not
119 been adopted, that the proposed reclassification or shoreline redesignation is consistent
120 with the adopted subarea plan; or

121 D. The applicant has demonstrated with substantial evidence that:

122 1. Since the last previous area zoning or shoreline environment designation of
123 the subject property, authorized public improvements, permitted private development or
124 other conditions or circumstances affecting the subject property have undergone
125 substantial and material change not anticipated or contemplated in the subarea plan or
126 area zoning;

127 2. The impacts from the changed conditions or circumstances affect the subject
128 property in a manner and to a degree different than other properties in the vicinity such
129 that area rezoning or redesignation is not appropriate((;)). For the purposes of this
130 subsection, "changed conditions or circumstances" does not include actions taken by the
131 current or former property owners to facilitate a more intense development of the
132 property including but not limited to changing tax limitations, adjusting property lines,
133 extending services((;)) or changing property ownership;

134 3. For proposals to increase rural residential density, that the proposal meets the
135 criteria in Comprehensive Plan policies R-205 through R-209;

136 4. For proposals to increase urban residential density, that the proposal meets
137 the criteria in Comprehensive Plan policies ((U-118)) U-120 through ((U-123)) U-125;
138 and

5. The requested reclassification or redesignation is in the public interest.

